

Claims 1-4, 37-40, and 53-87 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lin et al. U.S. Pat. No. 6,275,693 (Lin) in view of Applicant's admitted prior art. The rejections are respectfully traversed.

Amended claim 1 of the present application recites the limitation "wherein the first communication endpoint communicates messages over the R_m interface with the mobile station manager as TE2-type signals." In contrast, Lin, in Figure 1, discloses that a mobile communication device 102 (the "first communication endpoint" in the Examiner's construction) communicates messages with a provisioning proxy 110 (the "mobile station manager" in the Examiner's construction) not over an R_m interface as recited in claim 1, but over a communications link that includes an air interface 106, a base station 104, and a wireless network 108. (Lin: Figure 1; see also col. 3, lines 1-10)

Despite the lack of teaching in Lin, the Examiner has alleged that it would have been obvious to provide an R_m interface for this communications link because "it [the R_m interface] would have enabled the mobile device to communicate with other conventional user devices." (Office Action: page 4, fourth paragraph) However, it is respectfully submitted that the provisioning proxy 110 disclosed in Lin cannot be understood as a "conventional user device," as the provisioning proxy is actually "a gateway between the wireless network and a public network." (Lin: col. 3, lines 16-17) Therefore, the motivation stated by the Examiner does not suggest providing an R_m interface between the appropriate elements as recited by claim 1.

Furthermore, while an R_m interface is well-known in the art, the Examiner has not alleged that it would have been obvious to use such an R_m interface in place of the communications link cited from Lin. In fact, such a construction would not work as the provisioning proxy 110 in Lin is actually located on the other side of the air interface 106, base station 104, and wireless network 108 from the mobile device 102.

As the Examiner has not shown how all claim limitations are taught or suggested by the prior art (see, e.g., MPEP 2143.03), it is respectfully requested that the Examiner withdraw the rejection of claim 1 under 35 U.S.C. 103(a).

As claim 37 recites a similar limitation to claim 1 ("wherein the at least one mobile terminal communicates messages as TE2-type signals through a respective R_m interface with the mobile station manager"), it is allowable for at least the reasons given above for claim 1.

As claims 3-4 and 39-40 all depend on claim 1 or claim 37, it is respectfully requested that the rejections of these claims be withdrawn. As claims 53-87 were rejected for the reason of being “similar in scope” to claims 1-4 and 37-40, it is respectfully requested that the rejections of these claims also be withdrawn.

Conclusion

In light of the amendments and remarks contained herein, Applicant submits that the application is in condition for allowance, for which early action is requested. Should any issues remain unresolved, the Examiner is encouraged to telephone the undersigned at the number provided below.

The Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment, to Deposit Account No. 17-0026.

Respectfully submitted,

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